

## REMARKS

The Office Action of June 22, 2010 was received and carefully reviewed. Claims 1-15 were pending prior to the instant amendment. By this amendment, claims 1, 4, 6-11, 13 and 15 are amended; claim 14 is canceled; claims 16-17 are added. Consequently, claims 1-13 and 15-17 are currently pending in the instant application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

The abstract of the disclosure was objected to by the Examiner. The abstract has been amended in response thereto and is believed to be in compliance.

Claims 1-15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Without conceding the propriety of the rejection, the claims have been amended to provide additional clarification to the invention of which Applicant is entitled. No new matter has been added.

In view of the foregoing remarks, this claimed invention, as amended, is not rendered obvious in view of any prior art references cited against this application. Applicant therefore requests the entry of this response, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

In discussing the specification, claims, and drawings in this response, it is to be understood that Applicant in no way intends to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned patent agent at (202) 585-8316.

Respectfully submitted,

**NIXON PEABODY, LLP**

/Marc W. Butler, Reg. #50,219/  
Marc W. Butler  
Registration No. 50,219

**NIXON PEABODY LLP**  
CUSTOMER NO.: 22204  
401 9th Street, N.W., Suite 900  
Washington, DC 20004  
Tel: 202-585-8000  
Fax: 202-585-8080